

1
2
3
4
5 IN THE UNITED STATES DISTRICT COURT
6 FOR THE NORTHERN DISTRICT OF CALIFORNIA
7

8 SHERROD KEARNEY,

No. C 09-05308 CW (PR)

9 Petitioner,

ORDER GRANTING RESPONDENT'S
MOTION TO FILE ADDITIONAL
BRIEFING AND EXHIBITS; GRANTING
PETITIONER'S REQUEST FOR
EXTENSION OF TIME TO FILE
TRAVERSE

10 v.

11 G. SWARTHOUT, Warden,

12 Respondent.
13 _____/

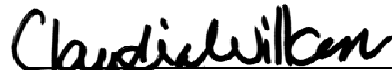
14 Petitioner, a state prisoner, filed a pro se petition for a
15 writ of habeas corpus. The Court directed Respondent to file an
16 answer to the petition and granted Petitioner leave to file a
17 traverse. Respondent filed an answer on March 29, 2011. Now
18 before the Court is Respondent's request to file additional
19 briefing and exhibits with respect to Petitioner's ineffective
20 assistance of counsel claim, on the ground that the reporter's and
21 clerk's transcripts related to said claim became available to
22 Respondent only recently. Good cause appearing, the request is
23 GRANTED. The Clerk of the Court shall docket as "filed" the
24 additional briefing and exhibits submitted by Respondent with the
25 instant request on May 10, 2011 (Docket no. 33). Additionally,
26 Respondent shall serve a copy of the additional briefing and
27 exhibits on Petitioner within **twenty (20)** days from the date of
28 this Order.

1 Petitioner has filed a request for an extension of time to
2 file a traverse to the answer. The request is hereby GRANTED.
3 Petitioner shall file his traverse no later than **60 (sixty)** days
4 from the date of this Order. If no traverse is received by that
5 date, the matter will be deemed submitted and ready for decision.

6 This Order terminates Docket nos. 33 and 34.

7 IT IS SO ORDERED.

8 Dated: 6/7/2011



CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE

UNITED STATES DISTRICT COURT
FOR THE
NORTHERN DISTRICT OF CALIFORNIA

SHERROD KEARNEY,

Plaintiff,

v.

G. SWARTHOUT et al,

Defendant.

Case Number: CV09-05308 CW

CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on June 7, 2011, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Sherrod Kearney F-26829
CSP-Solano
P.O. Box 4000
Vacaville, CA 95696-4000

Dated: June 7, 2011

Richard W. Wieking, Clerk
By: Nikki Riley, Deputy Clerk

United States District Court
For the Northern District of California